

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**VISHVA DESAI and PHILIP J. CHARVAT,
on behalf of themselves and others similarly
situated,**

Plaintiffs,

v.

Case No. 1:11-cv-1925

ADT SECURITY SERVICES, INC.,

Defendant.

**Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action
Settlement, and Motion for Leave to File Brief in Excess of Fifteen Pages**

For the reasons stated in the accompanying memorandum, Plaintiffs Vishva Desai and Philip J. Charvat respectfully move for preliminary approval of a proposed class action settlement reached in this matter. Plaintiffs also request leave to file a brief in excess of fifteen pages, the length of which is necessary to address the lengthy procedural history of this case, the complex discovery to date, and the factors supporting preliminary approval and certification of a proposed settlement class.

Attached to this motion are the following exhibits:

Exhibit A: Settlement Agreement

Exhibit A.1: Proposed Final Approval Order

Exhibit A.2: Notice Plan

Exhibit A.3: Proposed Preliminary Approval Order

Exhibit A.4: Proposed Mailed Notice

Exhibit A.5: Proposed Publication Notice

Exhibit A.6: Mailed Notice Claim Form

Exhibit A.7: Publication Notice Claim Form

Exhibit B: Decl. of Alexander H. Burke

Exhibit C: Decl. of Matthew P. McCue

Exhibit D: Decl. of Edward A. Broderick

Exhibit E: Aff. of Brian K. Murphy

Exhibit F: Decl. of John W. Barrett

Respectfully submitted.

PLAINTIFFS, VISHVA DESAI
and PHILIP CHARVAT,
By their attorneys,

s/ John W. Barrett
Alexander E. Burke
Burke Law Offices, LLC
155 N. Michigan Ave., Suite 9020
Chicago, IL 60601
(312) 729-5288
(312) 729-5289 facsimile
ABurke@BurkeLawLLC.com

Brian K. Murphy
Joseph F. Murray
Murray Murphy Moul + Basil LLP
1533 Lake Shore Drive
Columbus, OH 43204
(614) 488-0400
(614) 488-0401 facsimile
murphy@mmmb.com

John W. Barrett
Jonathan Marshall
Bailey & Glasser, LLP
209 Capitol Street
Charleston, WV 25301
(304) 345-6555
(304) 342-1110 facsimile
jbarrett@baileyglasser.com
jmarshall@baileyglasser.com

Edward A. Broderick
Anthony Paronich
Broderick Law, P.C.
125 Summer St., Suite 1030
Boston, MA 02110
(617) 738-7080
ted@broderick-law.com
anthony@broderick-law.com
Admitted Pro Hac Vice

Matthew P. McCue
The Law Office of Matthew P. McCue
1 South Ave, Third Floor
Natick, MA 01760
(508) 655-1415
mmccue@massattorneys.net
Admitted Pro Hac Vice

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**VISHVA DESAI and PHILIP J. CHARVAT,
on behalf of themselves and others similarly
situated,**

Plaintiffs,

v.

Case No. 1:11-cv-1925

ADT SECURITY SERVICES, INC.,

Defendant.

Certificate of Service

I hereby certify that *Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement, and Motion for Leave to File Brief in Excess of Fifteen Pages* was served upon the following counsel of record through the ECF system for the Northern District of Illinois on the 11th day of February, 2013:

Eric Jay Goldberg, Esquire
Pepper Hamilton, LLP
301 Carnegie Center, Suite 400
Princeton, NJ 08543
goldberg@pepperlaw.com
Counsel for ADT Security Services, Inc.

Michael E. Baughman, Esquire
Robert L. Hickok, Esquire
Pepper Hamilton, LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103
baughmam@pepperlaw.com
hickokr@pepperlaw.com
Counsel for ADT Security Services, Inc.

Jason Lawrence Pyrz, Esquire
John A. Leja, Esquire
Polsinelli Shughart, PC
161 N. Clark Street, Suite 4200
Chicago, IL 60601
jpyrz@polsinelli.com
jleja@polsinelli.com
Counsel for ADT Security Services, Inc.

Gary S. Betensky, Esquire
Richman Greer, P.A.
250 Australian Avenue South, Suite 1504
West Palm Beach, FL 33401
gbetensky@richmangreer.com
Counsel for The Elephant Group, Inc.

Howard L. Teplinsky, Esquire
Beerman Swerdlove, LLP
161 N. Clark Street, #2600
Chicago, IL 60601
hteplinsky@beermannlaw.com
Counsel for The Elephant Group, Inc.

Joshua L. Spoont, Esquire
Richman Greer, PA
201 S. Biscayne Blvd.
Miami, FL 33131
jspoont@richmangreer.com
Counsel for The Elephant Group

Saman Behnam, Esquire
Law Office of Saman Behnam
400 OceanGate, 8th Floor
Long Beach, CA 90802
behnamlaw@yahoo.com
Counsel for Christopher Long and EMI, Inc.

Lorne T. Saeks, Esquire
Much, Shelist, Freed, Denenberg,
Ament & Rubenstein, P.C.
191 North Wacker Drive, Suite 800
Chicago IL 60605
lsaeks@muchshelist.com
Counsel for Eversafe Security Systems, Inc. and Safe Streets USA, LLC

James Preston Shuck, Esquire
Quintin F. Lindsmith, Esquire
Bricker & Eckler, LLP
100 South Third Street
Columbus, OH 43215
jschuck@bricker.com
Counsel for Eversafe Security Systems, Inc. and Safe Streets USA, LLC

s/ John W. Barrett